

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.671 OF 2016

Mahesh Balu Jagtap	...	...Applicant
v/s.		
The State of Maharashtra & ors.		...Respondents

...

Mr.Rakesh Bhatkar a/w Mr.Mohan N.Devkule for the Applicant.
 Ms.M.H.Mhatre, APP for Respondent No.1.
 Mr.Sachin Chndan for Respondent No.2.

...

CORAM : A.S.OKA &
A.A. SAYED, JJ.

DATED : 26 JULY 2016

P.C.:

For the reasons separately recorded in the judgment, the following order is passed:

ORDER

- (i) Rule is made absolute in terms of prayer clause (b), which reads thus:

“(b) that this Hon'ble Court may be pleased to quash and set aside the C.R. Dated 06/06/2016 bearing No.135/16 registered with the Bandgaurden Police station at Pune.”

- (ii) We direct the Registry to invest the sum of Rs.10,00,000/- deposited by the Applicant in fixed deposit with any nationalized Bank. The fixed deposit shall be made for a term which will

fetch maximum interest. The fixed deposit shall be renewed from time to time till further orders;

- (iii) We direct the second Respondent to furnish all the particulars of her Bank Account alongwith a cancelled cheque of her Bank Account to the Registry within a period of four weeks from today. The Bank particulars shall be set out in an affidavit to be filed by the second Respondent within four weeks from today;
- (iv) The quarterly interest accrued on the fixed deposit shall be transferred to the aforesaid Bank account of the second Respondent;
- (v) After expiry of period of 10 years from today, it will be open for the second Respondent to make an application to this Court for withdrawal of the amount deposited by the Applicant;
- (vi) We grant liberty to the second Respondent to apply to this Court for seeking permission to withdraw a part of the principal amount in case of extreme necessity. If such application is made by the second Respondent, the same shall be considered in accordance with law;

- (vii) We make it clear that under no circumstances the Applicant will be entitled to withdraw the said amount of Rs.10,00,000/- or any part thereof or any part of the interest accrued thereon;
- (viii) The Application is disposed of in the above terms;

(A.A. SAYED, J.)

(A.S.OKA, J.)